

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:08cr58-MHT
)
 TAWAINE MCCULLOUGH)

**MOTION FOR ORDER DIRECTING THE UNITED STATES
MARSHAL TO RELEASE CUSTODY OF PRISONER**

Comes now the United States of America, by and through Leura G. Canary, United States Attorney and the undersigned Assistant United States Attorney, both for the Middle District of Alabama, and moves this Honorable Court for an order directing the United States Marshal, Middle District of Alabama, to release from their custody Tawaine McCullough into the custody of Theron Jackson, ATF, and/or Robert Green, Montgomery Police Department, and/or Tim Fitzpatrick, ATF, and/or Jennifer Rudden, ATF, and/or Mike Myrick, Montgomery Police Department, from June 19, 2008, through September 19, 2008, so that said agents can take such prisoner into custody without the necessity of the presence of a Deputy United States Marshal. We further move the Court to enter an order directing Theron Jackson, ATF, and/or Robert Green, Montgomery Police Department, and/or Tim Fitzpatrick, ATF, and/or Jennifer Rudden, ATF, and/or Mike Myrick, Montgomery Police Department, to return said prisoner into the custody of the United States Marshals Service when he has finished with him.

Respectfully submitted this the 18th day of June, 2008.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Matthew W. Shepherd
MATTHEW W. SHEPHERD
131 Clayton Street
Montgomery, Alabama 36104
Phone: (334) 223-7280
FAX: (334) 223-7135

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
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CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the all parties involved.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

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ORDER

Upon consideration of the government's motion for release of prisoner filed on June 18, 2008, and for good cause, it is

ORDERED that the motion be and hereby is GRANTED.

It is further ORDERED that the United States Marshals Service shall release custody of Tawaine McCullough, from June 19, 2008, through September 19, 2008, so that Theron Jackson, ATF, and/or Robert Green, Montgomery Police Department, and/or Tim Fitzpatrick, ATF, and/or Jennifer Rudden, ATF, and/or Mike Myrick, Montgomery Police Department, can take such prisoner into custody without the necessity of the presence of a Deputy United States Marshal. It is also

ORDERED that Theron Jackson, ATF, and/or Robert Green, Montgomery Police Department, and/or Tim Fitzpatrick, ATF, and/or Jennifer Rudden, ATF, and/or Mike Myrick, Montgomery Police Department, shall return said prisoner into the custody of the United States Marshals Service when they have finished with him.

DONE this ____ day of June, 2008.

WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE